



United States Mission to the OSCE

Statement at the Supplemental Human Dimension Meeting on Freedom of Religion or Belief

As delivered by Leonard Leo, Chairman,
United States Commission on International Religious Freedom
Vienna, July 10, 2009

Session II: Status of Religious or Belief Communities

In the 1989 Vienna document, participating States agreed to respect the rights of religious or belief communities to organize themselves according to their own hierarchical and institutional structures. This importantly included the right to select, appoint, and replace their personnel. We urge all participating States to respect this right.

Unfortunately, we continue to see State structures that openly seek to control and choose the religious leaders for unwilling congregations of believers, with the result that the community is denied its choice of religious leaders. It is a fact of life in today's world that some individuals use religion as a justification for extremism. A society's fear of terrorism should not be used to deprive any congregations of the ability to participate in the choosing of their religious leaders, either through banning such choices outright or using government-appointed boards to approve religious leaders, as happens in several participating States where a government-appointed board approves imams.

In Central Asia, while under their constitutions Tajikistan and Kyrgyzstan are secular states and provide for freedom of religion or belief, their laws and government policies place major restrictions on this right. For instance, the Tajik government's efforts to control religious practice disproportionately affect Muslims, but Tajik state officials also single out religious organizations that are viewed as having "foreign influences," and have banned three non-Muslim religious groups. In the past year, restrictive laws on religion have been passed by both countries; the United States urges Bishkek and Dushanbe to amend the laws to ensure they uphold OSCE commitments.

In Uzbekistan, a restrictive law on religion continues to limit the ability of religious communities to function and facilitates the Uzbek government's control over religious communities. The government has continued to arrest and repress Muslim groups that it claims are associated with extremist political programs. Repression of non-registered minority groups includes police raids, massive fines, confiscation and destruction of religious literature, disruption of religious services, and detentions, including three- to four-year prison sentences.

In Europe, the United States is also concerned about longstanding limitations in Turkey on the ability of minority religious communities, broadly understood, to freely select and appoint their religious leadership, to own property, and to exercise their right to education. Also, registration

systems for religious communities with unusually high thresholds in countries such as Slovakia, the Czech Republic, Romania, and even here in Austria, have the effect of discriminating against small minority groups and prevent the full enjoyment of the freedom of religion or belief by members of such groups.

The United States regrets the use of government committees that impede, and sometimes control, the actions of religious organizations, including the publication and dissemination of religious literature, as in Belarus and Turkmenistan. The United States is concerned over the establishment, composition, and expansive mandate of the Russian Ministry of Justice's new Expert Council on Religious Studies. The Expert Council was given wide powers to recommend investigations of religious organizations, including their activities and literature, for numerous reasons, including extremism. While governments have a duty to combat direct incitement to imminent violence and acts of violent extremism as part of their obligation to protect citizens, they should respect the freedom of assembly and avoid harassment of believers.

We understand that there is a wide range of practice within the OSCE region concerning the relationship between the state and religious bodies. We nevertheless call on participating States to ensure their practices in this area are consistent with their OSCE commitments.

Thank you.